

# SEVENTY-EIGHTH DAY

(CONTINUED)

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MONDAY, MAY 19, 1997

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## PROCEEDINGS

### AFTER RECESS

The Senate met at 8:00 a.m. and was called to order by Senator Harris.

### SENATOR ANNOUNCED PRESENT

Senator Cain, who had previously been recorded as "Absent-excused," was announced "Present."

### SESSION HELD FOR LOCAL AND UNCONTESTED CALENDAR

The Presiding Officer announced that the time had arrived to consider bills and resolutions placed on the Local and Uncontested Calendar. Notice of consideration of the local calendar was given by Senator Harris yesterday.

Pursuant to Senate Rule 9.03(d), the following bills and resolutions in the order listed were laid before the Senate, read second time, amended where applicable, passed to engrossment/third reading, read third time, and passed. The votes on suspension of the Constitutional Three-day Rule and final passage are indicated after each caption.

**HB 212** (Brown) Relating to the advisory function of the Texas Radiation Advisory Board. (31-0) (31-0)

**HB 213** (Brown) Relating to the composition and duties of the radiation advisory board. (31-0) (31-0)

**HB 385** (Ogden) Relating to the service areas of certain public junior colleges. (31-0) (31-0)

**HB 473** (Armbrister) Relating to the licensing of waste haulers by certain counties. (31-0) (31-0)

**HB 492** (Moncrief on behalf of Harris) Relating to activities covered by the Texas Food, Drug, and Cosmetic Act. (31-0) (31-0)

Senator Moncrief, on behalf of Senator Harris, offered the following committee amendment to the bill:

### Committee Amendment No. 1

Amend **HB 492** as follows:

(1) In SECTION 1 of the bill, in added Section 431.002(23)(B), Health and Safety Code (House engrossment, page 1, line 13), by striking the word "holding,".

(2) In SECTION 3 of the bill, in added Section 431.2211(3), Health and Safety Code (House Engrossment, page 2, line 25), between "21," and "64", add "23,".

The committee amendment was read and was adopted by a viva voce vote.

**HB 732** (Nixon) Relating to the jurisdiction of the Anderson County Court at Law. (31-0) (31-0)

**HB 740** (Moncrief on behalf of Harris) Relating to mechanics', contractors', and materialmen's liens; providing penalties. (31-0) (31-0)

**CSHB 776** (Cain) Relating to a municipal drainage utility system. (31-0) (31-0)

**HB 808** (Cain) Relating to the creation of a temporary charitable auction permit; providing a penalty. (31-0) (31-0)

**HB 996** (Shapiro) Relating to the disposition of the records of an abolished local government. (31-0) (31-0)

**HB 1016** (Madla) Relating to fees imposed for certain plans subject to Texas Natural Resource Conservation Commission approval under the commission's rules for the protection of the Edwards Aquifer. (31-0) (31-0)

Senator Madla offered the following committee amendment to the bill:

**Committee Amendment No. 1**

Amend **HB 1016** as follows:

(1) In Section 1 of the bill, strike the recitation (House Engrossed Version, page 1, lines 6 and 7) and substitute: Sections 26.0461(a), (d), and (h), Water Code, are amended to read as follows:

(2) In Section 1 of the bill, immediately before amended Subsection (d), Section 26.0461, Water Code (House Engrossed version, page 1, between lines 7 and 8), insert:

(a) The commission may impose fees for processing plans or amendments to plans that are subject to review and approval under the commission's rules for the protection of the Edwards Aquifer and for inspecting the construction and maintenance of projects covered by those plans.

The committee amendment was read and was adopted by a viva voce vote.

**HB 1085** (Moncrief) Relating to an automated system for providing reimbursements to nursing facilities under the state Medicaid program. (31-0) (31-0)

**HB 1128** (Ogden) Relating to the harvesting of and payment for timber; providing for damages; creating an offense. (31-0) (31-0)

**HB 1135** (Nixon) Relating to the fees required of certain persons who practice public accountancy. (31-0) (31-0)

**HB 1145** (Fraser) Relating to labeling of bison and buffalo products and to the exemption from ad valorem taxation of bison; providing a criminal penalty. (31-0) (31-0)

Senator Fraser offered the following committee amendment to the bill:

**Committee Amendment No. 1**

Amend **HB 1145** as follows:

(1) Strike Section 151.002(e) and renumber the subsequent sections appropriately.

(2) On page 3, line 15, strike "menu".

(3) On page 3, line 17, strike "menu".

(4) On page 3, line 20, strike "menu provision".

The committee amendment was read and was adopted by a viva voce vote.

**CSHB 1170** (Shapiro) Relating to certain nursing homes for purposes of professional liability insurance coverage. (31-0) (31-0)

**HB 1254** (Patterson) Relating to the validation of all acts, governmental proceedings, officials, bonds, and obligations of navigation districts and port authorities. (31-0) (31-0)

**HB 1257** (Brown) Relating to certain early voting procedures; providing a criminal penalty. (31-0) (31-0)

**HB 1288** (Lucio) Relating to the disposal of abandoned aircraft by a municipality. (31-0) (31-0)

**HB 1291** (Wentworth) Relating to the jurisdiction of justice and municipal courts. (31-0) (31-0)

**HB 1428** (Galloway) Relating to the creation and operation of a commission to coordinate the celebration of the centennial of the discovery of the Spindletop Oil Field. (31-0) (31-0)

**HB 1460** (Fraser) Relating to the name of a public junior or community college. (31-0) (31-0)

**HB 1556** (Armbrister) Relating to establishing Internet electronic mail addresses for state agencies. (31-0) (31-0)

**HB 1576** (Patterson) Relating to criminal background checks of certain employees of residential dwelling projects. (31-0) (31-0)

**HB 1577** (Armbrister) Relating to peer assistance programs for licensed veterinarians. (31-0) (31-0)

**HB 1673** (Shapiro) Relating to payment of per diem to members of the Texas State Library and Archives Commission. (31-0) (31-0)

**HB 1805** (Armbrister) Relating to the methods used by state government to purchase information resources technologies. (31-0) (31-0)

**HB 1825** (Duncan) Relating to access to criminal history record information by the State Bar of Texas. (31-0) (31-0)

**HB 2007** (Moncrief on behalf of Harris) Relating to the administration of a decedent's estate. (31-0) (31-0)

**HB 2105** (Ellis) Relating to the regulation of credit service organizations. (31-0) (31-0)

**HB 2220** (Lucio) Relating to the disclosure by the Texas Department of Transportation of information pertaining to persons who subscribe to Texas Highways magazine or purchase certain promotional items from the department. (31-0) (31-0)

**HB 2411** (Ellis) Relating to student center fees at Texas Southern University. (31-0) (31-0)

**HB 2666** (Carona) Relating to enforcement of certain public health and safety ordinances by a municipality. (31-0) (31-0)

**HB 2696** (Madla) Relating to contracts executed by and the election of the board of directors of the Val Verde County Hospital District. (31-0) (31-0)

**HB 2702** (Wentworth) Relating to the payment of certain probate fees. (31-0) (31-0)

**HB 2923** (Ellis) Relating to the establishment of a medical services fee at Texas Southern University. (31-0) (31-0)

**HB 2933** (Ellis) Relating to the establishment of a recreational facility fee at Texas Southern University. (31-0) (31-0)

**HB 3025** (Moncrief) Relating to parking fees imposed by a governmental authority. (31-0) (31-0)

Senator Moncrief offered the following committee amendment to the bill:

**Committee Amendment No. 1**

Amend **HB 3025** as follows:

On page 1, lines 4-16, strike SECTION 1 in its entirety and renumber the remaining Sections of the bill accordingly.

The committee amendment was read and was adopted by a viva voce vote.

**HB 3060** (Madla) Relating to recording of proceedings in a county court at law in Medina County. (31-0) (31-0)

**CSHB 3170** (Patterson) Relating to a firefighters' relief and retirement fund in certain municipalities. (31-0) (31-0)

**HB 3252** (Cain) Relating to safety regulations for certain contract carriers. (31-0) (31-0)

**HB 3443** (Armbrister) Relating to financing of public transportation. (31-0) (31-0)

**HB 3559** (Zaffirini) Relating to the County Court at Law of Bee County. (31-0) (31-0)

**HCR 55** (Sibley) Designating the Texas Ranger Hall of Fame and Museum in Waco as the official state repository of Texas Ranger memorabilia. (viva voce vote)

**CSSB 1798** (Wentworth) Relating to charging an amount in connection with a loan or other extension of credit. (31-0) (31-0)

**SB 1943** (Wentworth) Relating to validating the creation and certain actions of the Comal County Fresh Water Supply District No. 1. (31-0) (31-0)

**SR 625** (Ratliff) Recognizing the state's forest products industry and commending the creation of the Sustainable Forestry Initiative. (viva voce vote)

**BILLS REMOVED FROM  
LOCAL AND UNCONTESTED CALENDAR**

Senator Gallegos and Senator Patterson requested in writing that **HB 670** be removed from the Local and Uncontested Calendar.

Senator Duncan requested in writing that **SB 1172** be removed from the Local and Uncontested Calendar.

**SESSION CONCLUDED FOR  
LOCAL AND UNCONTESTED CALENDAR**

Senator Harris announced that the session to consider bills and resolutions placed on the Local and Uncontested Calendar was concluded.

**ADJOURNMENT**

Pursuant to a previously adopted motion, the Senate at 8:24 a.m. adjourned until 9:30 a.m. today.

